

\$1653



Docket No. JBP-577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PH 4

Applicants : John Kung et al.  
Serial No. : 10/033,492, Art Unit: 1653  
Filed : December 27, 2001 Examiner: C.M. Kam  
For : COMPOSITIONS FOR STABILIZING OXYGEN-LABILE SPECIES

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February 19, 2003  
(Date of Deposit)

Andrea L. Colby  
(Name of applicant, assignee, or Registered Representative)

*Andrea L. Colby*  
(Signature)

February 19, 2003  
(Date of Signature)

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Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☒ Please charge Deposit Account No. 10-0750/JBP-577/ALC the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/361,425, filed July 27, 1999.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

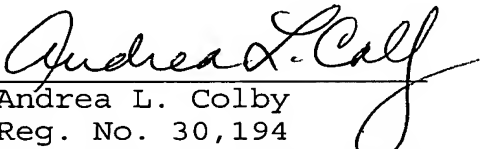
☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

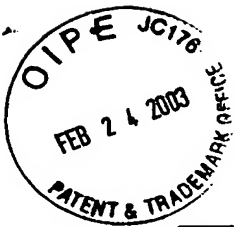
☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP-577/ALC. This form is submitted in triplicate.

Respectfully submitted,

  
Andrea L. Colby  
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Attorney for Applicants

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DATED: February 19, 2003



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/033,492
Filing Date	December 27, 2001
First Named Inventor	John Kung et al.
Group Art Unit	1653
Examiner Name	C.M. Kam
Attorney Docket Number	JBP-577

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,866,158		Ribier et al.	02/02/1999	
		5,853,741		Znaiden et al.	12/29/1998	
		5,846,996		Fallick	12/08/1998	
		5,843,411		Hernandez et al.	12/01/1998	
		5,801,192		Dumas et al.	09/01/1998	
		5,780,504		Ptchelintsev	07/14/1998	
		5,785,978		Porter et al.	07/28/1998	
		5,750,123		Znaiden et al.	05/12/1998	
		5,736,567		Cantin et al.	04/07/1998	
		5,730,972		Simon et al.	03/24/1998	
		5,691,380		Mason et al.	03/24/1998	
		5,629,004		Candau et al.	05/13/1997	
		5,607,968		Ptchelintsev	03/04/1997	
		5,578,471		Fujio et al.	11/26/1996	
		5,652,263		Clum et al.	09/24/1996	
		5,552,446		Candau et al.	09/03/1996	
		5,703,122		Duffy	12/30/1997	
		5,516,793		Duffy	05/14/1996	
		5,478,560		Tominaga et al.	12/26/1995	
		5,470,874		Lerner	11/28/1995	
		5,281,196		Sultenfuss	01/25/1994	
		5,140,043		Darr et al.	08/18/1992	
		4,367,157		Sherman	01/04/1983	
		4,983,382		Wilmott et al.	01/08/1991	
		5,011,949		Satoh et al.	04/30/1991	
		4,938,969		Schinitzky et al.	07/03/1990	

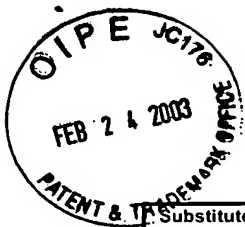
Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 3

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Group Art Unit	1653
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		Number	Kind Code <sup>2</sup> (if known)			
		5,451,405		Zhang et al.	09/1995	
		4,411,886		Hostettler et al.	10/1983	
		5,691,380		Mason et al.	11/1997	
		5,403,834		Malfoy-Camine et al.	04/1995	
		5,637,324		Bland	06/1997	
		5,843,481		Cruz	12/1998	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		WO	93/00085	A1	Johnson & Johnson Consumer Products	01/07/1993		
		WO	97/21423	A1	Procter & Gamble	06/19/1997		
		WO	97/31620	A2	Johnson & Johnson Consumer Products	09/04/1997		
		EP	0 280 606	A1	L'Oreal	02/08/1988		
		EP	0800 825	A1	BASF Aktiengesellschaft	03/04/1997		
		DE	3814806	A1		11/16/1989		
		DD	150 694			09/16/1981		
		FR	2768 623	A1	Thorel Jean Noel	09/22/1997		
		EP	0 875 514	A1		11/04/1998		
		EP	0 875 246	A1		11/04/1998		
		EP	0 779 071	A1		06/18/1997		
		EP	0 755 674	A1		01/29/1997		
		EP	0 729 746	A1		09/04/1996		
		EP	0 533 667	B1		06/25/1990		

Examiner Signature	Date Considered
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